



02-04 02

JG18 Rec'd PCT/PTO 01 FEB 2002

0300

#5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kenneth J. Gruys
Timothy A. Mitsky
Ganesh M. Kishore
Steven C. Slater
Stephen R. Padgett
David M. Stark

Examiner:

Group Art Unit: 3746

Serial No.: 09/942,891

Filed: August 20, 2001

Atty. Dkt. No.: 11899.0155.DVUS02
(MOBT:155-3/KAM)

For: Method of Optimizing Substrate Pools and
Biosynthesis of Poly- β - Hydroxybutyrate-
Co-Poly- β -Hydroxyvalerate in Bacteria and
Plants

**SUBSTITUTE SEQUENCE LISTING AND
STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.825(a) AND (b)
AND STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.821(g)**

BOX SEQUENCE

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two
Room 1B03
Arlington, VA 22202

Sir:

CERTIFICATE OF EXPRESS MAIL

NUMBER EL 831789188 US

DATE OF DEPOSIT February 1, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to Commissioner for Patents, 2011 South Clark Place, Crystal Plaza Two, Room 1B03, Arlington, VA 22202.

Paula S. Sinkhart

Signature

This Substitute Sequence Listing and Statement as required under 37 C.F.R. § 1.825(A) and (B) is filed in response to a Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated January 15,

2002. The shortened statutory period to answer this Notice expires on March 15, 2002; therefore, this response is believed to be timely filed.

Enclosed is a substitute computer readable form and a substitute paper copy of the sequence listing of those sequences in the captioned patent application, wherein said sequence listing has been updated. The substitute computer readable form of the sequence listing is the same as the substitute paper copy of the sequence listing enclosed herewith. The sequence information provided in the original specification is also the same as the sequence listing of the enclosed substitute computer readable and paper forms of the sequence listing.

In accordance with 37 C.F.R. § 1.821(g), it is herewith represented that no new matter is included with this submission.

Also enclosed is a copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, as requested in said Notice.

Respectfully submitted,



Patricia A. Kammerer
Reg. No. 29,775

HOWREY SIMON ARNOLD & WHITE, LLP
750 Bering Drive
Houston, Texas 77057-2198
(713) 787-1400

Attorney for Assignee
MONSANTO TECHNOLOGY LLC

Date: February 1, 2001